

obligation to provide customized routing to WorldCom, pursuant to the terms of the interconnection agreement. During the course of the arbitration, the Bureau found that Verizon had not shown that it was presently able to provide customized routing to FGD trunks using AIN and that there was a possibility that AIN would fail.⁶⁶⁵ For that reason, the *Virginia Arbitration Order* required that the agreement between the parties address what would happen in the event AIN routing fails. Pursuant to the terms of the *Virginia Arbitration Order*, the Verizon-WorldCom agreement requires Verizon to route the OS/DA calls of WorldCom's customers over WorldCom's FGD trunks where Verizon has deployed an AIN capability or where Verizon uses existing switch features and functions and to provide OS/DA services to WorldCom as unbundled network elements in all other circumstances.” Therefore, Verizon's operator services and directory assistance obligations in the event that its AIN architecture does not work as anticipated are clearly set forth in the approved contract language. We note that Verizon and WorldCom are preparing to enter a trial agreement to address the technical feasibility of customized routing using an AIN capability.

188. Furthermore, WorldCom's new agreement with Verizon provides WorldCom with a dispute resolution mechanism should it conclude that Verizon has failed to meet the parties' agreed upon arrangements for customized routing. We also note that Verizon currently provides customized routing with Modified Operator Services Signaling in Virginia.“* Therefore, we conclude that that WorldCom has not sufficiently rebutted Verizon's evidence demonstrating checklist compliance.

D. Checklist Item 7 – 911/E911 Access Services

189. Section 271(c)(2)(B)(vii) of the Act requires a BOC to provide “[n]on-discriminatory access to ... E911 services.”⁶⁶⁹ A BOC “must maintain the 911 database entries for competing LECs with the same accuracy and reliability that it maintains the database entries for its own customers.”⁶⁷⁰ For facilities-based carriers, the BOC must provide “unbundled access to [its] 911 database and 911 interconnection, including the provision of dedicated trunks from the requesting carrier's switching facilities to the 911 control office at parity with what [the

⁶⁶⁵ *Virginia Arbitration Order*, para. 539

⁶⁶⁷ See Verizon Virginia Reply, App. B. ,Vol. 2, Tab 8, Agreement between MCIMetro Access Transmission Services of Virginia and Verizon Virginia, Inc., Part C. at 48.

⁶⁶⁸ Verizon Lacouture/Ruesterholz Reply Decl., para. 97

⁶⁶⁹ 47 U.S.C. § 271(c)(2)(B)(vii). 911 and E911 services transmit calls from end users to emergency personnel. It is critical that a BOC provide competing carriers with accurate and non-discriminatory access to 911/E911 services so that these carriers' customers are able to reach emergency assistance.

⁶⁷⁰ *Ameritech Michigan Order*, 12 FCC Rcd at 20679, para. 256.

BOC] provides to itself.”⁶⁷¹ Based on the record before us we conclude, **as** did the Virginia Hearing Examiner, that Verizon has demonstrated that it provides nondiscriminatory access to E911 services and databases using the same checklist-compliant processes and procedures that it uses in its section 271-approved **states**.⁶⁷²

190. Only one carrier contends that Verizon has not met the requirements of section 271(c)(2)(B)(vii). Among other things, Cavalier contends that Verizon improperly bills certain municipalities for Automatic Number Identification and selective routing despite the fact that it is Cavalier that is providing the E911 lines to the **municipalities**.⁶⁷³ As a result, Cavalier contends that Chesterfield County, Henrico County, and the City of Richmond, Virginia have stopped paying Cavalier for legitimate charges for its tariffed E911 services.”⁶⁷⁴ **As** Verizon has correctly noted, section 271(c)(2)(B) “deals exclusively with ‘[a]ccess or interconnection provided or generally offered by a Bell operating company *to other telecommunications carriers*.’”⁶⁷⁵ Because Cavalier’s claim is over which carrier, Verizon or Cavalier, is the appropriate carrier to be billing various Virginia counties **for** E911 services and not related to E911 services provided to competing telecommunications carriers, they are outside the scope of section 271 **review**.⁶⁷⁶ We note that this matter is currently pending before the Virginia **Commission**.⁶⁷⁷

E. Checklist Item 11 – Number Portability

191. Section 271(c)(2)(B) of the 1996 Act requires a BOC to **comply** with the number portability regulations adopted by the Commission pursuant to section 251.⁶⁷⁸ Section 251(b)(2) requires all LECs “to provide, *to the extent technically feasible*, number portability in accordance with requirements prescribed by the **Commission**.”⁶⁷⁹ Based on the evidence in the record, we

⁶⁷¹ *Id.*

⁶⁷² Virginia Hearing Examiner’s Report at **135**; Verizon Lacouture/Ruesterholz Decl., para. 278

⁶⁷³ Cavalier Comments at 19.

⁶⁷⁴ *Id.* at 19-20

⁶⁷⁵ Verizon Virginia Reply at 36 (citing 47 U.S.C. § 271(c)(2)(B) (emphasis added)).

⁶⁷⁶ While Cavalier’s claim is arguably related **to** our analysis of billing under checklist item 2, Cavalier provided no details were provided to support such a claim. We note that the municipalities involved do not raise these claims.

⁶⁷⁷ Verizon Lacouture/Ruesterholz Reply Decl., para. 118

⁶⁷⁸ **47 U.S.C. § 271(c)(2)(B)(xii)**

⁶⁷⁹ 47 U.S.C. § 251(b)(2).

conclude, as did the Virginia Hearing Examiner,⁶⁸⁰ that Verizon complies with the requirements of checklist item 11.⁶⁸¹

192. Starpower LLC and US LEC Corp. contend that Verizon fails to comply with checklist item 11, alleging that Verizon “seems incapable of handling changes to cut-over requests,” that Verizon “routinely fails to suspend the [number] porting request and disconnects the line from the Verizon facilities.” resulting in complete loss of service to the customer that could have been avoided by better cooperation from Verizon.⁶⁸² These parties have provided no factual information to show how common this situation might be, nor do they even provide anecdotal evidence of specific incidents. As a result, that evidence is insufficient to show systemic or intentional discrimination on Verizon’s part. Moreover, responding fully to these allegations, Verizon has provided data showing that it is consistently exceeding the standard for providing local number portability orders on time for competitive LECs as a whole as well as for Starpower and US LEC in particular.⁶⁸³ Therefore, we find that these allegations do not refute Verizon’s demonstration of checklist compliance.

F. Remaining Checklist Items (3, 9, 10, 12, 13 and 14)

193. In addition to showing that it is in compliance with the requirements discussed above, an applicant under section 271 must demonstrate that it complies with checklist item 3 (access to poles, ducts, and conduits),⁶⁸⁴ item 9 (numbering administration),⁶⁸⁵ item 10 (databases and associated signaling),⁶⁸⁶ item 12 (local dialing parity),⁶⁸⁷ item 13 (reciprocal compensation),⁶⁸⁸ and item 14 (resale).⁶⁸⁹ Based on the evidence in the record, we conclude, as did the Virginia

⁶⁸⁰ Virginia Hearing Examiner’s Repon at 153

⁶⁸¹ Verizon Lacouture/Ruesterholz Decl., paras. 354-59. Specifically, Verizon provides local number ponability in Virginia using essentially the same procedures and processes as it does in states where it has received section 271 authority. *Id.*, para. 354.

⁶⁸² Starpower/US LEC Comments at 19.

⁶⁸³ During May, June, July and August 2002, Verizon completed on time more than 98.59% of number ponability requests on both stand-alone and hot cut bases. From April through July 2002, Verizon received only one call from US LEC and none from Starpower on a phone line provided for prompt resolution of number portability problems. Verizon Lacouture/Ruesterholz Reply Decl., pards. 119-21.

⁶⁸⁴ 47 U.S.C. § 271(c)(2)(B)(iii)

⁶⁸⁵ 47 U.S.C. § 271(c)(2)(B)(ix)

⁶⁸⁶ 47 U.S.C. § 271(c)(2)(B)(x)

⁶⁸⁷ 47 U.S.C. § 271(c)(2)(B)(xii).

⁶⁸⁸ 47 U.S.C. § 271(c)(2)(B)(xiii)

⁶⁸⁹ 47 U.S.C. § 271(c)(2)(B)(xiv).

Hearing Examiner. that Verizon demonstrates that it is in compliance with checklist items 3, 9, 10, 12, 13, and 14, in Virginia.⁶⁹⁰ We note that no parties objected to Verizon's compliance with these checklist items.

VI. SECTION 272 COMPLIANCE

194. Section 271(d)(3)(B) provides that the Commission shall not approve a BOC's application to provide interLATA services unless the BOC demonstrates that the "requested authorization will be carried out in accordance with the requirements of section 272."⁶⁹¹ Verizon provides evidence that it maintains the same structural separation and nondiscrimination safeguards in Virginia ~~as~~ it does in New Jersey, Connecticut, Maine, Pennsylvania, Rhode Island, Vermont, New York, Connecticut, and Massachusetts – where Verizon has already received section 271 authority.⁶⁹² The only party to raise a concern that touches on Verizon's compliance with 271(d)(3)(B) is AT&T, which claims that Verizon's admitted premature marketing of long distance services in Virginia violate Section 272(g)(2).⁶⁹³ As we explained in the *Verizon New Hampshire/Delaware Order*, we conclude that this matter would be more appropriately addressed in ~~an~~ enforcement proceeding.⁶⁹⁴ Moreover, this issue is comprehensively addressed in our Public Interest analysis in the following section of this Order. Based on the record before ~~us~~, we conclude that Verizon has demonstrated that it will comply with the requirements of section 272.

⁶⁹⁰ See Verizon Virginia Application at 56-57 (checklist item 3), 62-63 (checklist item 9), 63-64 (checklist item 10), 65-66 (checklist item 12), 66 (checklist item 13), 66-68 (checklist item 14); ~~see~~ also Virginia Hearing Examiner's Repon at 97 (checklist item 3), 148 (checklist item 9), 150 (checklist item 10), 155 (checklist item 12), 158 (checklist item 13), 161 (checklist item 14).

⁶⁹¹ 47 U.S.C. § 271(d)(3)(B).

⁶⁹² See Verizon Virginia, Application App. A, Vol. 3, Tab E, Declaration of Susan C. Browning (Verizon Browning Decl.) para. 4. See also *Verizon Pennsylvania Order*, 16 FCC Rcd at 17486, para. 124; *Verizon Connecticut Order*, 16 FCC Rcd at 14178-79, para. 73; *Verizon Massachusetts Order*, 16 FCC Rcd at 9114-17, paras. 226-31; *Bell Atlantic New York Order*, 15 FCC Rcd at 4152-61, paras. 401-21; *Verizon New Jersey Order*, 17 FCC Rcd at 12357, para. 165.

⁶⁹³ AT&T Comments at 25

⁶⁹⁴ See *Application of Verizon New England Inc., Verizon Delaware Inc., Bell Atlantic Communications, Inc (d/b/a Verizon Long Distance), NYNEX Long Distance Company (d/b/a Verizon Enterprise Solutions), Verizon Global Networks Inc., and Verizon Select Services Inc. for Authorization To Provide In-Region, InterLATA Services in New Hampshire and Delaware*, CC Docket No. 02-157, Memorandum Opinion and Order, FCC 02-262, para. 168 (rel. Sept. 25, 2002) (*Verizon New Hampshire/Delaware Order*).

VII. PUBLIC INTEREST ANALYSIS

A. Public Interest Test

195. Apart from determining whether a BOC satisfies the competitive checklist and will comply with section 272, Congress directed the Commission to assess whether the requested authorization would be consistent with the public interest, convenience, and necessity.⁶⁹⁵ At the same time, section 271(d)(4) of the Act states that “[t]he Commission may not, by rule *or* otherwise, limit or extend the terms used in the competitive checklist set forth in subsection (c)(2)(B).”⁶⁹⁶ Accordingly, although the Commission must make a separate determination that approval of a section 271 application is “consistent with the public interest, convenience, and necessity,” it may neither limit nor extend the terms of the competitive checklist of section 271(c)(2)(B).⁶⁹⁷ Thus, the Commission views the public interest requirement as an opportunity to review the circumstances presented by the application to ensure that no other relevant factors exist that would frustrate the congressional intent that markets be open, as required by the competitive checklist, and that entry will serve the public interest as Congress expected.

196. We conclude, as did the Virginia Hearing Examiner, that approval of this application is consistent with the public interest.” From our extensive review of the competitive checklist, which embodies the critical elements of market entry under the Act, we find that barriers to competitive entry in Virginia’s local exchange market have been removed, and that the local exchange market is open to competition. We further find that the record confirms the Commission’s view that BOC entry into the long distance market will benefit consumers and competition if the relevant local exchange market is open to competition consistent with the competitive checklist.⁶⁹⁸

197. We disagree with commenters that assert that we must, under our public interest standard, consider a variety of other factors such as the economy, levels of competitive LEC

⁶⁹⁵ 47 U.S.C. § 271(d)(3)(C)

⁶⁹⁶ 47 U.S.C. § 271(d)(4)

⁶⁹⁷ Accordingly, we decline to address in this section issues related to particular checklist items. *See* WorldCom Comments at 6-7, 14 (contending that Verizon lacks sufficient interconnection agreements, and therefore, its application violates the public interest); Allegiance Comments at 9 (asserting that Verizon’s “no facilities” policy violates the public interest). The issues raised by WorldCom and Allegiance were discussed *supra* in our discussion of checklist item 1 and checklist item 4, interconnection and loops, respectively.

⁶⁹⁸ *See* Virginia Hearing Examiner’s Report at 170

⁶⁹⁹ *See SWBT Texas Order*, 15 FCC Rcd at 18558-59, para. 419; *see also* APT Comments at 1-5; National Grange Comments at 1-? (asserting that section 271 approval will **encourage** deployment of broadband); CAP Comments at 1-2 (contending that section 271 approval will result in lower long distance rates); *but see, e.g.,* AT&T Comments at 19 n.19 (claiming that BOC entry into the long distance market in Texas lead to higher local and long distance rates).

market share, or the financing difficulties of competitive LECs.⁷⁰⁰ Given the affirmative showing that the competitive checklist has been satisfied, low customer volumes or the financial hardships of the competitive LEC community do not undermine that showing.⁷⁰¹ Thus, we have consistently declined to use factors beyond the control of the applicant BOC to deny an application.⁷⁰² We note that the D.C. Circuit confirmed in *Sprint v. FCC* that Congress specifically declined to adopt a market share or other similar test for BOC entry into long distance.⁷⁰³

B. Assurance of Future Performance

198. We find that the performance assurance plan (Virginia Plan) in Virginia provides further assurance that the local markets in Virginia will remain open after Verizon receives section 271 authorization.⁷⁰⁴ Although it is not a requirement for section 271 approval that a BOC be subject to such post-entry performance assurance mechanisms, the Commission has previously stated that the existence of a satisfactory performance monitoring and enforcement mechanism would be probative evidence that the BOC will continue to meet its section 271 obligations.”” Verizon states that the Virginia Plan is substantially the same as the plans in effect when the Commission approved Verizon’s section 271 application in New York, Massachusetts, Rhode Island, Vermont, Maine, and Connecticut.⁷⁰⁶ Specifically, Verizon

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See AT&T Comments at 11 (arguing that competitive LEC bankruptcies and other financial difficulties prevent competitive LECs from investing in capital investments in areas where future rate reductions are speculative); AT&T Comments at 17-23 (contending that a lack of local competition, and UNE-based competition in particular, in Virginia warrants a rejection of the Verizon’s application in light of difficulties competitive LECs are experiencing in the market); AT&T Reply Comments at 25 (claiming that there is an absence of competition in rural areas of Virginia); Cavalier Comments at 30-31 (asserting that the level of local competition is on the decline in Virginia); Sprint Comments at 7 (contending that the public interest test should include factors outside the applicant’s control, including levels of competitive LEC presence in the local market); Starpower/US LEC Comments at 24-25 (stating that an application must be reviewed within the context of the local market and that a lack of BOC entry into new local markets demonstrates that the markets are not irreversibly open to competition).

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See *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9177-78, para. 282; *Verizon Pennsylvania Order*, 16 FCC Rcd at 17487, para. 126.

⁷⁰²

See *BellSouth Georgia/Louisiana Order*, 17 FCC Rcd at 9177-78, para. 282; *Verizon Pennsylvania Order*, 16 FCC Rcd at 17487, para. 126.

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Sprint Communications Co. v. FCC, 274 F.3d at 553-54 (D.C. Cir. 2001); see also *Ameritech Michigan Order*, 12 FCC Rcd at 20585, para. 77.

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Ameritech Michigan Order, 12 FCC Rcd at 20748-50, paras. 393-98. In all of the previous applications that the Commission has granted to date, the applicant was subject to an enforcement plan administered by the relevant state commission to protect against backsliding after BOC entry into the long distance market.

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See *Verizon New Jersey Order*, 17 FCC Rcd at 12362, para. 176; *Ameritech Michigan Order*, 12 FCC Rcd at 20748-50, paras. 393-98.

⁷⁰⁶

Verizon Virginia Application at 98

explains that the key difference between the Virginia Plan and the New York Plan involves the benchmark for the special provision related to UNE flow through.⁷⁰⁷ We find this difference to be inconsequential for the purposes of our review. Thus, we find that the Virginia Plan is reasonable to ensure an open local market in Virginia. We conclude that the Virginia Plan, in concert with the Virginia State Corporation Commission's active participation in implementing modifications to promote the oversight of Verizon's performance, provides sufficient assurance that Verizon will have a compelling incentive to maintain post-entry checklist compliance.⁷⁰⁸ We also note that no party challenged the effectiveness of the plan.

C. Premature Marketing

199. Finally, we note that during the pendency of its New Jersey application, Verizon voluntarily disclosed that it sent direct mail and bill insert advertising to New Jersey customers.⁷⁰⁹ While reviewing its long distance marketing programs in connection with the New Jersey incidents, the company discovered that Verizon representatives had prematurely marketed services in Virginia by mailing "winback letters" to certain customers.⁷¹⁰ Verizon subsequently discovered that certain calling card calls were incorrectly branded as Verizon calls. In addition, Verizon acknowledged that it prematurely ran television advertisements that listed long distance service as an option to customers without a proper disclaimer. Finally, Verizon notes that service representatives incorrectly solicited and accepted customer orders for long distance service.

1. Mail Solicitations

200. Verizon recently disclosed that it had engaged in two incidents of premature mail solicitations offering long distance service in Virginia. In February 2002, Verizon sent marketing materials advertising long distance service to approximately 2,000 customers in the former GTE territories in Virginia.⁷¹¹ Approximately 45 customers in Virginia responded to Verizon's solicitations. AT&T argues that the Commission should reject Verizon's application based on these two incidents of premature mail solicitations offering long distance service in Virginia." Verizon states that, upon discovering the error, it contacted each of these customers by telephone to explain that the mailing was sent in error and that Verizon was not authorized to

⁷⁰⁷ Verizon Guerard/Canny/DeVito Decl., para. 27.

⁷⁰⁸ See *id.*, paras. 23-29; see also *Verizon New Jersey Order*, 17 FCC Rcd at 12362, para. 176.

⁷⁰⁹ *Verizon New Jersey Order*, 17 FCC Rcd at 12367, para. 188.

⁷¹⁰ See Lener from Marie T. Breslin, Director, Federal Regulatory, Verizon to Marlene H. Donch, Secretary, Federal Communication Commission, WC Docket No. 02-214 *et al.* (filed Aug. 12, 2002) (Verizon Aug 12 Public Interest *Ex Parte* Letter).

⁷¹¹ Verizon Virginia Application at 86 n.67; Verizon Virginia Reply at 71.

⁷¹² AT&T Comments at 26.

provide long distance service in Virginia.”” According to Verizon, none of the solicited customers actually received long distance service.⁷¹⁴

201. On August 12, 2002, Verizon voluntarily disclosed that during the months of March, May, and June 2002, approximately 1,500 “winback” letters were erroneously sent out to customers in Virginia inviting carriers to subscribe to Verizon’s long distance service without a proper disclaimer explaining that the carrier had not yet been granted authority in Virginia.””

202. Upon learning of the mailings, Verizon began developing additional internal safeguards to prevent incidents of this nature from occurring in the future.⁷¹⁶ Verizon maintains that it is no longer printing direct mail that refers to long distance service for distribution in a particular state until after section 271 authority is effective in such state. Verizon is also making a number of improvements to their internal procedures and processes to ensure that long distance marketing materials are only distributed in states with section 271 approval.⁷¹⁷ Furthermore, Verizon contends that, even if a customer were to call to request long distance service in Virginia, its customer service representatives have been trained to respond that Verizon is not authorized to provide such service.⁷¹⁸ In addition, Verizon claims – and AT&T has not disputed – that, if a customer service representative were to submit an order to provide Verizon long distance service in Virginia prior to Commission approval of this application, any long distance calls placed by the customer would be blocked and would not go through because the long distance affiliate’s switching equipment has not been modified to allow such calls to be completed.⁷¹⁹

2. Calling Cards

203. Verizon has also disclosed that approximately 4,000 calling card calls in Virginia were misbranded as Verizon calls during a ten-day period in March and April 2002 due to an

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See Letter from Ann D. Berkowitz, Project Manager – Federal Affairs, Verizon to Marlene H. Donch, Secretary, Federal Communications Commission, WC Docket No. 02-214 at 1 (filed Oct. 2, 2002) (Verizon Oct. 2 Public Interest *Ex Parte* Letter)

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Verizon Oct. 2 Public Interest *Ex Parte* Letter at 2.

⁷¹⁵

See id. Verizon states that because several months lapsed between the time of the “winback” letters were mailed and the time that Verizon discovered that the mailing lacked a proper disclaimer, that Verizon did not send corrective letter to the recipients of these solicitations. *Id.*

⁷¹⁶

See Verizon Oct. 2 Public Interest *Ex Parte* Letter at 2

⁷¹⁷

Id. at 2-3

⁷¹⁸

Id. at 6

⁷¹⁹

Id. at 2-3

error by WorldCom in updating its routing table.”” Furthermore, Verizon explains that since June 2000, approximately 250 additional calling card calls originating in Virginia were misbranded as Verizon calls.⁷²¹ Verizon acknowledges that these calls should have been branded as unaffiliated long distance carrier’s calls,⁷²² however, Verizon contends that the majority of these calls were misbranded as a result of the errors in the underlying long distance transport vendor’s routing software and programming errors.⁷²³ Notably, none of these calling card calls were billed to customers.⁷²⁴

3. Television Advertisements

204. During a five week period in February and March 2002, Verizon ran a television advertisement on several channels in the Washington, D.C. metropolitan area.”” Verizon explains that the phrase “Long Distance Savings” appeared in the advertisements for several seconds, along with other services to business customers provided by Verizon, without its standard disclaimer.⁷²⁶ Verizon notes that the advertisements did not include long distance pricing information, nor did it include an audible mention of long distance services.⁷²⁷ Since this incident, it has implemented additional controls to ensure that such advertising includes the appropriate disclaimers in the future, including an enhanced Business Advertising Quality Assurance process.⁷²⁸ According to Verizon, before any advertising may be completed, all versions of all advertising programs must now pass an eighteen point checklist that includes a review of whether the market is section 271 approved, whether the advertisement mentions long distance service, and if so, whether the advertisement contains the appropriate disclaimer.⁷²⁹

⁷²⁰ Letter from Dee May, Assistant Vice President, Federal Regulatory, Verizon to Marlene Donch, Secretary, Federal Communications Commission, WC Docker No. 02-214 *et al* (filed Sept. 13, 2002) (Verizon Sept. 13 Public Interest *Ex Parte* Letter).

⁷²¹ See Verizon Oct. 2 Public Interest *Ex Parte* Letter at 3.

⁷²² Verizon Sept. 13 Public Interest *Ex Parte* Letter at 2.

⁷²³ See Verizon Oct. 2 Public Interest *Ex Parte* Letter at 4; Verizon Sept. 13 Public Interest *Ex Parte* Letter at 2.

⁷²⁴ Verizon Sept. 13 Public Interest *Ex Parte* Letter at 2.

⁷²⁵ See Verizon Oct. 2 Public Interest *Ex Parte* Letter at 5.

⁷²⁶ *id.*

⁷²⁷ *id.*

⁷²⁸ *id.*

⁷²⁹ See Verizon Oct. 2 Public Interest *Ex Parte* Letter at 5. Verizon maintains that the checklist must be verified by a senior person at the advertising agency, a director or higher in Verizon’s Marketing Department, and a director or higher in Verizon’s Marketing Communications Department. *id.*

4. Other Incidents

205. Verizon acknowledges that it recently discovered that a total of two roll-free calls were erroneously terminated in Virginia and one misdirected operator call was terminated in Virginia.⁷³⁰ Verizon also notes that on or about June 20, 2002, a single call from Virginia to South Carolina was misdirected to a Verizon trunk, due to an error on the part of the transport provider.⁷³¹ According to Verizon, these errors were caused by Verizon's transport providers. Verizon states that between January 1, 2001 and June 30, 2002, sales representatives mistakenly accepted approximately 65 orders for toll-free numbers that terminated in Virginia.⁷³² In response to these errors, Verizon has taken steps to ensure that internal sales representatives only accept orders for long distance service in section 271 authorized states. Specifically, Verizon states that its corrective measures even went as far as temporarily stopping all outbound telemarketing by vendors until Verizon could confirm that each of its vendors' practices were consistent with Verizon policy.⁷³³ Furthermore, Verizon maintains that in each of these instances, it did not bill the customers for these calls.⁷³⁴

206. Finally, Verizon acknowledges that one of its international affiliates provided Internet service to a business customer in Virginia from October 12, 2001 until June 15, 2002, through an entity it acquired in connection with a bankruptcy proceeding.⁷³⁵ Verizon maintains that at the time of the acquisition, it received assurance from that entity that it did not provide services in the United States.⁷³⁶ Verizon explains that at the time the affiliate became aware of the arrangement, it began to take steps to arrange for the customer to obtain service from an alternative provider, however, because of the bankruptcy proceedings, it had to negotiate the termination of service.⁷³⁷

⁷³⁰ See Verizon Oct. 2 Public Interest *Ex Parte* Lener at 4-5.

⁷³¹ *Id.*

⁷³² *Id.* at 5.

⁷³³ *Id.* at 6.

⁷³⁴ See Verizon Oct. 2 Public Interest *Ex Parte* Lener at 4-5. Verizon acknowledges that a representative processed one order for long distance service in Virginia in August 2001, however, the customer was contacted the next day and no long distance service was actually provisioned. *Id.* at 6.

⁷³⁵ See Verizon Oct. 2 Public Interest *Ex Parte* Lener at 6.

⁷³⁶ *Id.*

⁷³⁷ *Id.*

5. Discussion

207. As we noted in prior orders, potential violations of federal telecommunications law could be relevant to the section 271 inquiry.⁷³⁸ In the *Verizon New Jersey Order*, we examined evidence of premature marketing to more than a half-million customers, resulting from conduct that occurred at approximately the same time **as** the conduct disclosed in this proceeding. Moreover, in that order and in the *Verizon New Hampshire/Delaware Order*, we concluded that we should not deny or delay the applications under the public interest standard. Given the facts presented here, because the allegations do not relate to the openness of the local telecommunications markets to competition, we reject AT&T's argument that **we** should deny or delay this application under the public interest **standard**.⁷³⁹ As we stated in the *Verizon New Hampshire/Delaware Order*, we conclude that these claims of premature solicitation of long distance services would be more appropriately addressed in an enforcement proceeding.⁷⁴⁰ Thus, we take no position in this proceeding on whether Verizon's actions violate section 272(g)(2) of the Act. Instead, **we** refer this matter to the Enforcement Bureau. Regardless of what enforcement action we may take in the future, we remind Verizon and all BOCs that they should not market long distance services in **an** in-region state prior to receiving section 271 approval from the Commission for that particular state. Thus, we find it necessary to emphasize, once again, that carriers must exercise extreme caution.

VIII. SECTION 271(d)(6) ENFORCEMENT AUTHORITY

208. Section 271(d)(6) of the Act requires Verizon to continue to satisfy the "conditions required for . . . approval" of its section 271 application after the Commission approves its application.⁷⁴¹ Thus, the Commission has a responsibility not only to ensure that Verizon is in compliance with section 271 today, but also that it remains in compliance in the future. **As** the Commission has already described the post-approval enforcement framework and

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See *Verizon New Hampshire/Delaware Order*, para. 168; *Verizon New Jersey Order*, 17 FCC Rcd at 12368, para. 190; *Ameritech Michigan Order*, 12 FCC Rcd at 20749-50, para. 397 ("Because the success of the market opening provisions of the 1996 Act depend, to a large extent, on the cooperation of incumbent LECs, including the BOCs, with new entrants and good faith compliance by such LECs with their statutory obligations, evidence that a BOC has engaged in a pattern of discriminatory conduct or disobeying federal and state telecommunications regulations would tend to undermine our confidence that the BOC's local market is, or will remain, open to competition once the BOC has received interLATA authority").

⁷³⁹

See *Verizon New Hampshire/Delaware Order*, para. 168; *Verizon Massachusetts Order*, 16 FCC Rcd at 9107, para. 211; *Bell Atlantic New York Order*, 15 FCC Rcd at 4126-27, para. 340.

⁷⁴⁰

See *Verizon New Hampshire/Delaware Order*, para. 168.

⁷⁴¹

47 U.S.C. § 271(d)(6).

its section 271(d)(6) enforcement powers in detail in prior orders, it is unnecessary to do so again here.⁷⁴²

209. Working with the Virginia Commission, we intend to closely monitor Verizon's post-approval compliance for Virginia to ensure that Verizon does not "cease[] to meet any of the conditions required for [section 271] approval."⁷⁴³ We stand ready to exercise our various statutory enforcement powers quickly and decisively in appropriate circumstances if evidence shows market opening conditions have not been sustained.

210. In the course of this proceeding, we have given close scrutiny to Verizon's provision of UNEs, access to unbundled local loops, and directory listings, as have the Virginia Hearing Examiner, the Department of Justice, and other commenters.⁷⁴⁴ We will closely monitor Verizon's performance in Virginia following section 271 approval, as we are doing in New Jersey.⁷⁴⁵ If evidence shows that recent improvements in Verizon's OSS performance have not been maintained, we are prepared to use our authority under section 271(d)(6) to enforce compliance.

211. Consistent with **prior** section 271 orders, we require Verizon to report to the Commission all Virginia carrier-to-carrier performance metrics results and Incentive Plan monthly reports, beginning with the first full month after the effective date of this Order, and **for** each month thereafter for one year, unless extended by the Commission. These results and reports will allow us to review Verizon's performance on **an** ongoing basis to ensure continued compliance with the statutory requirements. We are confident that cooperative state and federal oversight and enforcement can address any backsliding that may arise with respect to Verizon's entry into the Virginia long distance market.

IX. CONCLUSION

212. For the reasons discussed above, we grant Verizon's application for authorization under section 271 of the Act to provide in-region, interLATA services in the Commonwealth of Virginia.

⁷⁴² See, *SWBT Kansas/Oklahoma Order*, 16 FCC Rcd at 6382-84, paras. 283-85; *SWBT Texas Order*, 15 FCC Rcd at 12567-68, paras. 434-36; *Bell Atlantic New York Order*, 15 FCC Rcd at 4174, paras. 446-53; *see also* Appendix C

⁷⁴³ 47 U.S.C. § 271(d)(6)(A)

⁷⁴⁴ See *generally* Virginia Hearing Examiner's Report: Department of Justice Virginia Evaluation at 7-10; Cavalier Comments at 7-30; AT&T Comments at 11-17; NTELOS Comments at 4-12; Z-Tel Comments at 2-7.

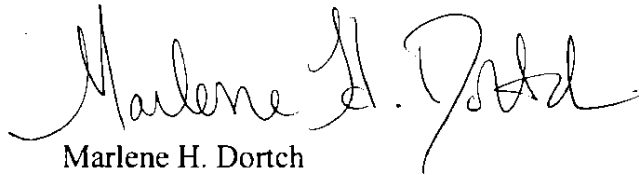
⁷⁴⁵ *Verizon New Jersey Order*, 17 FCC Rcd at 12368, para. 192.

X. ORDERING CLAUSES

213. Accordingly, IT IS ORDERED that, pursuant to sections 4(i), 4(j), and 271 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 154(j), and 271, Verizon's application to provide in-region, interLATA service in the state of Virginia, filed on August 1, 2002, IS GRANTED.

214. IT IS FURTHER ORDERED that this Order SHALL BECOME EFFECTIVE November 8, 2002.

FEDERAL COMMUNICATIONS COMMISSION

A handwritten signature in black ink, appearing to read "Marlene H. Dortch", is written over the printed name and title.

Marlene H. Dortch
Secretary

Appendix A
Commenters in CC Docket No. 02-214

CommentersAbbreviation

Allegiance Telecom of Virginia, Inc.	Allegiance
Alliance for Public Technology	Alliance
AT&T Corp	AT&T
Association of Development Organizations	ADO
Cavalier Telephone, LLC	Cavalier
Starpower Communications, LLC and US LEC Corp.	Starpower / US LEC
Community Action Partnership	CAP
Covad Communications Company	Covad
National Grange of the Order of Patrons of Husbandry	National Grange
NTELOS Network Inc. and R&B Network Inc.	NTELOS
OpenBand of Virginia, LLC	OpenBand
Sprint Communications Company L.P.	Sprint
WorldCom, Inc	WorldCom
Z-Tel Communications. Inc.	Z-Tel

Reply CommentersAbbreviation

AT&T Corp.	AT&T
Cavalier Telephone, LLC	Cavalier
Covad Communications Company	Covad
US LEC Corp.	US LEC
WorldCom, Inc	WorldCom
Verizon Virginia	Verizon Virginia

Appendix B

Virginia Performance Metrics

All data included here are taken from the Virginia Carrier-to-Carrier Reports. This table is provided as a reference tool for the convenience of the reader. No conclusions are to be drawn from the raw data contained in this table. Our analysis is based on the totality of the circumstances, such that we may use non-metric evidence, and may rely more heavily on some metrics more than others, in making our determination. The inclusion of these particular metrics in this table does not necessarily mean that we relied on all of these metrics nor that other metrics may not also be important in our analysis. Some metrics that we have relied on in the past and may rely on for a future application were not included here because there was no data provided for them (usually either because there was no activity, or because the metrics are still under development). Metrics with no retail analog provided are usually compared with a benchmark. Note that for some metrics during the period provided, there may be changes in the metric definition, or changes in the retail analog applied, making it difficult to compare the data over time.

PERFORMANCE METRICS CATEGORIES

Metric Number	Metric Name	Metric Number	Metric Name
Preorder and OSS Availability:		Change Management, Billing, OS/DA, Interconnection and Collocation:	
OR-1-02	% On Time LSRC – Flow Through	BI-1-02	% DUF in 4 Business Days
OR-1-04	% On Time LSRC No Facility Check	BI-2-01	Timeliness of Carrier Bill
OR-1-06	5% On Time LSRC/ASRC Facility Check	01-3-01	% Billing Adjustments - Dollars Adjusted
OR-1-07	Average ASRC Time No Facility Check	BI-3-02	% Billing Adjustments -Number of Adjustments
OR-1-08	% On Time ASRC No Facility Check	BI-3-04	% CLEC Billing Claims Acknowledged Within Two Business Days
OR-1-10	% On Time ASRC Facility Check	BI-3-05	% CLEC Billing Claims Resolved Within 28 Calendar Days After Acknowledgement
OR-1-11	Av. FOC Time	NP-1-01	% Final Trunk Groups Exceeding Blocking Standard
OR-1-12	% On Time FOC	NP-1-02	% FTG Exceeding Blocking Std. –(No Exceptions)
OR-1-13	% On Time Design Layout Record (DLR)	NP-2-01	% On Time Response to Request for Physical Collocation
OR-1-19	% On Time Resp. - Request for Inbound Augment Trunks	NP-2-02	% On Time Response to Request for Virtual Collocation
PO-1-01	Customer Service Record	NP-2-03	Average Interval – Physical Collocation
PO-1-02	Due Date Availability	NP-2-04	Average Interval – Virtual Collocation
PO-1-03	Address Validation	NP-2-05	% On Time ~ Physical Collocation
PO-1-04	Product & Service Availability	NP-2-06	% On Time – Virtual Collocation
PO-1-05	Telephone Number Availability & Reservation	NP-2-07	Average Delay Days – Physical Collocation
PO-1-06	Average Response Time - Mechanized Loop Qualification - DSL	NP-2-08	Average Delay Days – Virtual Collocation
PO-1-07	Rejected Query	Ordering:	
PO-1-09	Parsed CSR	OR-2-02	% On Time LSR Reject – Flow Through
PO-2-01	OSS Interf. Avail. – Total	OR-2-04	% On Time LSR Reject < 6 Lines - Electronic - No Flow-Through
PO-2-02	OSS Interf. Avail. – Prime Time	OR-2-06	% On Time LSR Reject >= 6 Lines - Electronic - No Flow-Through
PO-2-03	OSS Interf. Avail. – Non-Prime	OR-2-08	% On Time LSR Reject < 6 Lines - Fax
PO-4-01	% Notices Sent on Time	OR-2-10	% On Time ASR Reject Facility Check
PO-4-02	Change Mgmt. Notice - Delay 1-7 Days	OR-2-11	Average Trunk ASR Reject Time (<= 192 Forecasted Trunks)
PO-4-03	Change Mgmt. Notice - Delay 8+ Days	OR-2-12	% On Time Trunk ASR Reject (<= 192 Forecasted Trunks)
PO-8-01	% On Time - Manual Loop Qualification	OR-3-01	% Rejects
PO-8-02	% On Time - Engineering Record Request	OR-4-02	Completion Notice (BCN) – % On Time
MR-1-01	Create Trouble	OR-4-05	Work Completion Notice (PCN) – % On Time

Federal Communications Commission

FCC 02-297

PERFORMANCE METRICS CATEGORIES

Metric Number	Metric Name	Metric Number	Metric Name
OR-4-12	% Due Date to PCN within 2 Business Days	PR-5-01	% Missed Appointment – Verizon – Facilities
OR-4-14	% Due Date to BCN within 4 Business Days	PR-5-02	% Orders Held for Facilities > 15 Days
OR-4-17	% Billing Completion Notifier sent within two Business Days	MR-4-10	Mean Time To Repair - Double Dispatch
PR-5-03	% Orders Held for Facilities > 60 Days	MR-5-01	% Repeat Reports within 30 Days
OR-5-01	% Flow Through - Total	PR-6-01	% Installation Troubles reported within 30 Days
OR-5-02	% Flow Through - Simple	PR-6-02	% Installation Troubles reported within 7 Days
OR-5-03	% Flow Through Achieved	PR-6-03	% Inst. Troubles reported w/ in 30 Days - FOK/TOK/CPE
OR-6-01	% Accuracy - Orders	PR-8-01	Open Orders in a Hold Status > 30 Days
OR-6-02	% Accuracy – Opportunities	PR-8-02	Open Orders in a Hold Status > 90 Days
OR-6-03	% Accuracy – LSRC	PR-9-01	% On Time Performance – Hot Cut
OR-7-01	% Order Confirmation/Rejects sent within 3 Business Days	PR-9-02	% Early Cuts - Lines
[Provisioning:		PR-9-08	Average Duration of Service Interruption
PR-1-09	Av. Interval Offered – Total	Maintenance and Repair:	
PR-2-01	Average Interval Completed – Total No Dispatch	MR-2-01	Network Trouble Report Rate
PR-2-02	Average Interval Completed – Total Dispatch	MR-2-02	Network Trouble Report Rate
PR-2-03	Average Interval Completed – Dispatch (1-5 Lines)	MR-2-03	Network Trouble Report Rate – Central Office
PR-2-04	Average Interval Completed - Dispatch (6-9 Lines)	MR-2-04	% Subsequent Reports
PR-2-05	Average Interval Completed - Dispatch (>= 10 Lines)	MR-2-05	% CPE/TOK/FOK Trouble Report Rate
PR-2-06	Average Interval Completed – DSO	MR-3-01	% Missed Repair Appointment – Loop
PR-2-07	Average Interval Completed – DS1	MR-3-02	% Missed Repair Appointment – Central Office
PR-2-08	Average Interval Completed – DS3	MR-3-03	% CPE/TOK/FOK - Missed Appointment
PR-2-09	Av. Interval Completed – Total	MR-3-04	% Missed Repair Appointment - No Double Dispatch
PR-2-18	Average Interval Completed – Disconnects	MR-3-05	% Missed Repair Appointment - Double Dispatch
PR-4-01	% Missed Appointment – Verizon	MR-4-01	Mean Time To Repair
PR-4-02	Average Delay Days - Total	MR-4-02	Mean Time To Repair – Loop Trouble
PR-4-03	% Missed Appointment – Customer	MR-4-03	Mean Time To Repair – Central Office Trouble
PR-4-04	% Missed Appointment – Verizon – Dispatch	MR-4-04	% Cleared (all troubles) within 24 Hours
PR-4-05	% Missed Appointment – Verizon – NoDispatch	MR-4-05	% Out of Service > 2 Hours
PR-4-07	% On Time Performance – LNP Only	MR-4-06	% Out of Service > 4 Hours
PR-4-06	% Missed Appt. – Customer – Late Order Conf.	MR-4-07	% Out of Service > 12 Hours
PR-4-14	% Completed On Time [With Serial Number]	MR-4-08	% Out of Service > 24 Hours
PR-4-15	% Completed On Time -DD-2 Test Total	MR-4-09	Mean Time To Repair - No Double Dispatch

VIRGINIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	April		May		June		July		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OSS & BILLING (Pre-Ordering) - POTS/Special Services										
PRE-ORDERING										
PO-1 - Response Time OSS Pre-Ordering Interface										
PO-1-01-6020	Customer Service Record - EDI	0.21	2.7	0.23	2.79	0.24	3.16	0.21	2.87	4
PO-1-01-6030	Customer Service Record - CORBA	0.21	0.86	0.23	0.85	0.24	0.77	0.21	0.87	
PO-1-01-6050	Customer Service Record -Web GUI	0.21	2.42	0.23	3.07	0.24	2.46	0.21	2.86	
PO-1-02-6020	Due Date Availability - EDI	0.97	NA	0.99	NA	1.31	NA	1.31	NA	
PO-1-02-6030	Due Date Availability - CORBA	0.97	1.59	0.99	1.45	1.31	2.02	1.31	NA	1,2
PO-1-02-6050	Due Date Availability - Web GUI	0.97	3.44	0.99	4.25	1.31	3.77	1.31	4.36	
PO-1-03-6020	Address Validation - EDI	4.23	6.16	4.13	6.06	4.3	6.4	4.44	7.48	
PO-1-03-6030	Address Validation - CORBA	4.23	3.14	4.13	3.16	4.3	3.57	4.44	4.04	
PO-1-03-6050	Address Validation - Web GUI	4.23	5.28	4.13	5.91	4.3	5.82	4.44	6.26	
PO-1-04-6020	Product & Service Availability - EDI	9.16	NA	8.94	NA	9.62	NA	9.97	NA	
PO-1-04-6030	Product & Service Availability - CORBA	9.16	NA	8.94	NA	9.62	NA	9.97	NA	
PO-1-04-6050	Product & Service Availability - Web GUI	9.16	13.76	8.94	14.71	9.62	13.71	9.97	14.12	
PO-1-05-6020	Telephone Number Availability & Reservation - EDI	5.05	NA	4.99	NA	5.3	NA	5.57	NA	
PO-1-05-6030	Telephone Number Availability & Reservation - CORBA	5.05	5.16	4.99	5.39	5.3	5.82	5.57	NA	2,3
PO-1-05-6050	Telephone Number Availability & Reservation - Web GUI	5.05	6.57	4.99	7.15	5.3	7.26	5.57	8.13	
PO-1-06-6020	Average Response Time - Mechanized Loop Qualification - DSL - EDI	17.56	4.49	15.63	4.34	13.73	4.76	14.07	5.28	
PO-1-06-6030	Average Response Time - Mechanized Loop Qualification - DSL - CORBA	17.56	NA	15.63	NA	13.73	NA	14.07	NA	
PO-1-06-6050	Average Response Time - Mechanized Loop Qualification - DSL - Web GUI	17.56	4.39	15.63	4.97	13.73	4.74	14.07	5.07	
PO-1-07-6020	Rejected Query - EDI	0.16	2.91	0.16	2.87	0.16	2.99	0.16	2.85	
PO-1-07-6030	Rejected Query - CORBA	0.16	0.8	0.16	0.77	0.16	0.74	0.16	0.8	
PO-1-07-6050	Rejected Query - Web GUI	0.16	3.16	0.16	3.36	0.16	2.81	0.16	2.85	
PO-1-09-6020	Parsed CSR - EDI	0.21	1.72	0.23	1.86	0.24	2.06	0.21	2.04	
PO-1-09-6030	Parsed CSR - CORBA	0.21	0.3	0.23	0.31	0.24	0.32	0.21	0.34	
PO-2 - OSS Interface Availability										

VIRGINIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	April		May		June		July		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PO-2-01-6020	OSS Interf. Avail. – Total - EDI		99.86		100					1
PO-2-01-6030	OSS Interf. Avail. – Total - CORBA		99.97		100					
PO-2-01-6060	OSS Interf. Avail. - Total - Electronic Bonding		100		100					
PO-2-02-6020	OSS Interf. Avail. – Prime Time – EDI		99.79		100		100		100	1
PO-2-02-6030	OSS Interf. Avail. – Prime Time – CORBA		99.96		100		100		100	
PO-2-02-6050	OSS Interface Avail. - Prime Time - Maint. Web GUI/Pre-Ordering/Ordering Web GUI		99.83		100					1
PO-2-02-6060	OSS Interf. Avail. – Prime Time – Electronic Bonding		100		100		100		100	
PO-2-03-6020	OSS Interf. Avail. – Non-Prime – EDI		100		100		99.85		99.98	3
PO-2-03-6030	OSS Interf. Avail. – Non-Prime – CORBA		100		100		100		100	
PO-2-03-6050	OSS Interface Avail. - Non Prime - Maint. Web GUI/Pre-Ordering/Ordering Web GUI		97.97		100					1
PO-2-03-6060	OSS Interf. Avail – Non-Prime – Electronic Bonding		100		100		100		100	
PO-2-03-6080	OSS Interf. Avail. – Non-Prime – Maint Web CUI / Prc Order/Ordering Web GUI						99.93		99.82	4
PO-8 - Manual Loop Qualification										
PO-8-01-2000	% On Time - Manual Loop Qualification		17.42		14.53		100		100	1,2,3,4
PO-8-02-2000	% On Time - Engineering Record Request		NA		NA		NA		NA	
Change Notification										
PO-4 - Timeliness of Change Management Notice										
PO-4-01-6611	% Notices Sent on Time - Emergency Maint.		100		100					1
PO-4-01-6621	% Notices Sent on Time - Regulatory		100		NA					
PO-4-01-6631	% Notices Sent on Time - Industry Standard		100		NA					1
PO-4-01-6641	% Notices Sent on Time - Verizon Orig.		100		NA					1
PO-4-01-6651	% Notices Sent on Time - TC Orig.		100		NA					1
PO-4-01-6660	% Notices Sent on Time - Industry Standard, Verizon Orig. & CLEC Orig.						100		NA	3
PO-4-01-6671	% Notices Sent on Time - Emergency Maint. & Regulatory						100		100	3
PO-4-02-6611	Change Mgmt. Notice - Delay 1-7 Days - Emergency Maint.		NA		NA					

VIRGINIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	April		May		June		July		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PO-4-02-6621	Change Mgmt. Notice - Delay 1-7 Days - Regulatory		NA		NA					
PO-4-02-6631	Change Mgmt. Notice - Delay 1-7 Days - Ind. Std.		NA		NA					
PO-4-02-6641	Change Mgmt. Notice - Delay 1-7 Days - Verizon Orig.		NA		NA					
PO-4-02-6651	Change Mgmt. Notice - Delay 1-7 Days - TC Orig.		NA		NA					
PO-4-02-6660	Change Mgmt. Notice - Delay 1-7 Days - Ind. Std., Verizon Orig. & CLEC Orig.						NA		NA	
PO-4-02-6671	Change Mgmt. Notice - Delay 1-7 Days - Emergency Maint. & Regulatory						NA		NA	
PO-4-03-6611	Change Mgmt. Notice - Delay 8+ Days - Emergency Maint.		NA		NA					
PO-4-03-6621	Change Mgmt. Notice - Delay 8+ Days - Regulatory		NA		NA					
PO-4-03-6631	Change Mgmt. Notice - Delay 8+ Days - Ind. Std.		NA		NA					
PO-4-03-6641	Change Mgmt. Notice - Delay 8+ Days - Verizon Orig.		NA		NA					
PO-4-03-6651	Change Mgmt. Notice - Delay 8+ Days - TC Orig.		NA		NA					
PO-4-03-6660	Change Mgmt. Notice - Delay 8+ Days - Ind. Std., Verizon Orig. & CLEC Orig.						NA		NA	
PO-4-03-6671	Change Mgmt. Notice - Delay 8+ Days - Emergency Maint. & Regulatory						NA		NA	
Change Confirmation										
PO-4 - Timeliness of Change Management Notice										
PO-4-01-6622	% Notices Sent on Time - Regulatory		NA		100		100		NA	3
PO-4-01-6632	% Notices Sent on Time - Ind. Std.		NA		100					2
PO-4-01-6642	% Notices Sent on Time - Verizon Orig.		NA		100					2
PO-4-01-6652	% Notices Sent on Time - TC Orig.		NA		100					2
PO-4-01-6662	% Notices Sent on Time - Ind. Std., Verizon Orig. & CLEC Orig.						NA		100	4
PO-4-02-6622	Change Mgmt. Notice - Delay 1-7 Days - Regulatory		NA		NA		NA		NA	
PO-4-02-6632	Change Mgmt. Notice - Delay 1-7 Days - Ind. Std.		NA		NA					
PO-4-02-6642	Change Mgmt. Notice - Delay 1-7 Days - Verizon Orig.		NA		NA					
PO-4-02-6652	Change Mgmt. Notice - Delay 1-7 Days - TC Orig.		NA		NA					
PO-4-02-6662	Change Mgmt. Notice - Delay 1-7 Days - Ind. Std., Verizon Orig. & CLEC Orig.						NA		NA	

VIRGINIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	April		May		June		July		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
PO-4-03-6622	Change Mgmt. Notice - Delay 8+ Days - Regulatory		NA		NA		NA		NA	
PO-4-03-6632	Change Mgmt. Notice - Delay 8+ Days - Ind. Std.		NA		NA					
PO-4-03-6642	Change Mgmt. Notice - Delay 8+ Days - Verizon Orig.		NA		NA					
PO-4-03-6652	Change Mgmt. Notice - Delay 8+ Days - TC Orig.		NA		NA					
PO-4-03-6662	Change Mgmt. Notice - Delay 8+ Days - Ind. Std., Verizon Orig. & CLEC Orig.						NA		NA	
TROUBLE REPORTING (OSS)										
MR-1 - Response Time OSS Maintenance Interface										
MR-1-01-2000	Create Trouble	9.21	4.3	9.01	5.23	8.88	4.21	10.12	3.83	
BILLING										
BI-1 - Timeliness of Daily Usage Feed										
BI-1-02-2030	% DUF in 4 Business Days		99.04		98.64		99.43		99.57	
BI-2 - Timeliness of Carrier Bill										
BI-2-01-2030	Timeliness of Carrier Bill		100		100		100		100	
BI-3 - Billing Accuracy										
BI-3-01-2030	% Billing Adjustments - Dollars Adjusted	1.37	4.74	2.6	6.22					
BI-3-02-2030	% Billing Adjustments - Number of Adjustments	5.19	0.42	4.83	0.42					
BI-3 - Billing Accuracy & Claims Processing										
BI-3-04-2030	% CLEC Billing Claims Acknowledged Within Two Business Days						100		100	
BI-3-05-2030	% CLEC Billing Claims Resolved Within 28 Calendar Days After Acknowledgement						100		100	
Resale (Ordering) - POTS/Special Services										
RESALE Ordering										
OR-7 - Order Completeness										
OR-7-01-2000	% Order Confirmation/Rejects sent within 3 Business Days		99.72		99.94		99.85		99.86	
POTS & Pre-qualified Complex - Electronically Submitted										
OR-1 - Order Confirmation Timeliness										
OR-1-02-2320	% On Time LSRC - Flow Through		100		99.99		98.14		98.57	
OR-1-04-2100	% On Time LSRC No Facility Check		96.55		96.41		96.12		96.81	

Metric Number	Metric Name	April		May		June		July		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-1-06-2320	% On Time LSRC/ASRC Facility Check		99.04		98.89		100		97.4	
OR-2 - Reject Timeliness										
OR-2-02-2320	% On Time LSR Reject – Flow Through		99.93		99.89		99.94		99.66	
OR-2-04-2320	% On Time LSR Reject No Facility Check		99.12		99.67		97.4		99.59	
OR-2-06-2320	% On Time LSR/ASR Reject Facility Check		100		100		100		97.56	
2 Wire Digital Services										
OR-1 - Order Confirmation Timeliness - Requiring Loop Qualification										
OR-1-04-2341	% On Time LSRC No Facility Check		93.75		100		100		100	4
OR-1-06-2341	% On Time LSRC/ASRC Facility Check		100		100		100		100	2,3,4
OR-2 - Reject Timeliness - Requiring Loop Qualification										
OR-2-04-2341	% On Time LSR Reject No Facility Check		100		100		100		100	2
OR-2-06-2341	% On Time LSR/ASR Reject Facility Check		100		100		NA		NA	2
POTS / Special Services - Aggregate										
OR-3 - Percent Rejects										
OR-3-01-2000	% Rejects		21.61		25.97		21.99		21.36	
OR-4 - Timeliness of Completion Notification										
OR-4-02-2000	Completion Notice (BCN) – % On Time		97.29		97.98					
OR-4-05-2000	Work Completion Notice (PCN) – % On Time		100		100					
OR-4-12-2000	% Due Date to PCN within 3 Business Days		98.33		98.93					
OR-5 - Percent Flow-Through										
OR-5-01-2000	% Flow Through - Total		81.76		90.84		83.57		81.93	
OR-5-03-2000	% Flow Through Achieved		93.05		97.26		94.46		96.52	
OR-6 - Order Accuracy										
OR-6-01-2000	% Service Order Accuracy – Orders		84.25		89.72		93.78		93.65	
OR-6-02-2000	% Accuracy – Opportunities		97.55		98.57					
OR-6-03-2000	% Accuracy – LSRC		0.09		0		0.05		0.09	
OR-7 - Order Completeness										
OR-7-01-2000	% Order Confirmation/Rejects sent within 3 Business Days		99.72		99.94		99.85		99.86	
Special Services - Electronically Submitted										
OR-1 - Order Confirmation Timeliness										

VIRGINIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	April		May		June		July		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
OR-1-04-2210	% On Time LSRC No Facility Check DS0		NA		NA		NA		NA	
OR-1-04-2211	% On Time LSRC No Facility Check DS1		NA		NA		NA		NA	
OR-1-04-2213	% On Time LSRC No Facility Check DS3		NA		NA		NA		NA	
OR-1-04-2214	% On Time LSRC No Facility Check (Non DS0, DS1, & DS3)		96.55		87.5		86.67		100	2,4
OR-1-06-2210	% On Time LSRC/ASRC Facility Check DS0		NA		NA		NA		NA	
OR-1-06-2211	% On Time LSRC/ASRC Facility Check DS1		NA		NA		100		NA	3
OR-1-06-2213	% On Time LSRC/ASRC Facility Check DS3		NA		NA		NA		NA	
OR-1-06-2214	% On Time LSRC/ASRC Facility Check (Non DS0, DS1, & DS3)		100		100		100		0	1,2,3,4
OR-2 - Reject Timeliness										
OR-2-04-2200	% On Time LSR Reject No Facility Check		100		100		95.24		100	
OR-2-06-2200	% On Time LSR/ASR Reject Facility Check		NA		NA		100		100	3,4
Resale (Provisioning) - POTS/Special Services										
POTS - Provisioning - Total										
PR-2 - Average Completed Interval										
PR-2-04-2100	Average Interval Completed - Dispatch (6-9 Lines)	6.73	3	8.18	3					1,2
PR-2-05-2100	Average Interval Completed - Dispatch (>= 10 Lines)	7.63	6	10.32	NA					1
PR-4 - Missed Appointments										
PR-4-02-2100	Average Delay Days - Total	4.11	2.5	3.28	5.32	3.05	7.18	2.77	2.36	
PR-4-03-2100	% Missed Appointment - Customer	1.65	1.12	1.74	0.61		1.24		1.58	
PR-4-04-2100	% Missed Appointment - Verizon - Dispatch	7.4	1.21	8.06	1.13	9.36	1.76	13.48	2.1	
PR-4-05-2100	% Missed Appointment - Verizon - No Dispatch	0.84	0.04	0.87	0.08	0.9	0.16	1.03	0.08	
PR-4-08-2100	% Missed Appt. - Customer - Due to Late Order Confirmation		0		0.04					
PR-6 - Installation Quality										
PR-6-01-2100	% Installation Troubles reported within 30 Days	3.6	3.26	3.63	1.83	4.3	4.69	3.89	4.83	
PR-6-02-2100	% Installation Troubles reported within 7 Days	2.2	2.14	2.25	1.06					
PR-6-03-2100	% Inst. Troubles reported w/ in 30 Days - FOK/TOK/CPE	3.12	2.64	3.21	1.61		3.77		3.77	
PR-8 - Open Orders in a Hold Status										
PR-8-01-2100	Open Orders in a Hold Status > 30 Days	0.05	0.01	0.05	0.01	0.05	0	0.03	0	
PR-8-02-2100	Open Orders in a Hold Status > 90 Days	0.03	0	0.03	0	0.03	0	0.02	0	

Federal Communications Commission

FCC 02-297

VIRGINIA PERFORMANCE METRIC DATA

Metric Number	Metric Name	April		May		June		July		Notes
		VZ	CLEC	VZ	CLEC	VZ	CLEC	VZ	CLEC	
POTS - Business										
PR-2 - Average Completed Interval										
PR-2-01-2110	Average Interval Completed – Total No Dispatch	1.42	0.9	1.21	1.33					
PR-2-03-2110	Average Interval Completed – Dispatch (1-5 Lines)	4.61	2.75	4.64	4.96					
POTS - Residence										
PR-2 - Average Completed Interval										
PR-2-01-2120	Average Interval Completed – Total No Dispatch	0.95	1.04	0.95	0.58					
PR-2-03-2120	Average Interval Completed – Dispatch (1-5 Lines)	3.3	2.46	3.4	2.63					
POTS & Complex Aggregate										
PR-2 - Average Completed Interval										
PR-2-18-2103	Average Interval Completed – Disconnects	3.66	1.19	3.84	0.91					
2-Wire Digital Services										
PR-2 - Average Completed Interval										
PR-2-01-2341	Average Interval Completed – Total No Dispatch	1.47	3.29	1.43	7.4					1,2
PR-2-02-2341	Average Interval Completed – Total Dispatch	4.23	5	3.91	NA					1
PR-4 - Missed Appointments										
PR-4-02-2341	Average Delay Days – Total	6.23	9	4.26	NA	13.51	NA	32.37	NA	1
PR-4-03-2341	% Missed Appointment – Customer	8.18	10	6.9	9.09		50		0	3,4
PR-4-04-2341	% Missed Appointment – Verizon – Dispatch	9.09	0	5.92	0	6.74	NA	7.2	NA	1,2
PR-4-05-2341	% Missed Appointment – Verizon – No Dispatch	1.04	11.11	1.13	0	2.61	0	1.23	0	3,4
PR-4-08-2341	% Missed Appt. – Customer – Late Order Conf.		0		0		0		0	3,4
PR-6 - Installation Quality										
PR-6-01-2341	% Install. Troubles Reported within 30 Days	6.9	NA	3.07	14.29	3.45	NA	6.02	NA	2
PR-6-03-2341	% Install. Troubles Reported w/in 30 Days - FOK/TOK/CPE	6.68	NA	7.78	28.57		NA		NA	2
PR-8 - Open Orders in a Hold Status										
PR-8-01-2341	Open Orders in a Hold Status > 30 Days	0	0	0.1	0	0.17	0	0	0	3,4
PR-8-02-2341	Open Orders in a Hold Status > 90 Days	0	0	0	0	0	0	0	0	3,4
PR-2 - Average Completed Interval										
PR-2-01-2200	Average Interval Completed – Total No Dispatch	6.07	5.61	15.74	5.15					
PR-2-02-2200	Average Interval Completed – Total Dispatch	8.46	23.29	13.28	5.5					1,2